

CITY OF TIGARD, OREGON

RESOLUTION NO. 02-67

A RESOLUTION FINALIZING SANITARY SEWER REIMBURSEMENT DISTRICT NO. 21 (ERROL AND FONNER STREETS)

WHEREAS, on March 12, 2002, the City Council approved Resolution No. 02-17 to form Sanitary Sewer District No. 21 to construct sewers in SW Errol and Fonner Streets in accordance with TMC Chapter 13.09; and

WHEREAS, Resolution No. 02-17 included the City Engineer's Report that included an estimated construction and total project cost; and

WHEREAS, construction of the sewer improvements has completed, final costs have been determined and the City Engineer's Report has been revised to include the final costs as required by TMC 13.09.105 (1); and

WHEREAS, these property owners have been notified of an informational hearing in accordance with TMC 13.09.060 and an informational hearing was conducted in accordance with TMC 13.09.105; and

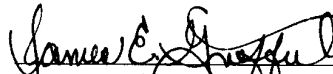
WHEREAS, the City Council has determined that the proposed revisions to the City Engineer's Report as recommended by the City Engineer are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1 The revised City Engineer's Report titled "Sanitary Sewer Reimbursement District No. 21", attached hereto as Exhibit A, is hereby approved.
- SECTION 2 Resolution No. 02-17 is hereby amended to add the revised City Engineer's Report.
- SECTION 3 The City Recorder shall cause a copy of this resolution to be filed in the office of the County Recorder and shall mail a copy of this resolution to all affected property owners at their last known address.

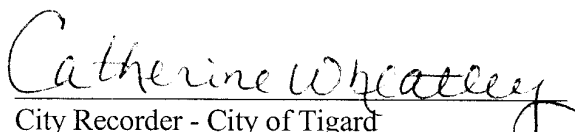
EFFECTIVE DATE: This resolution shall be effective immediately.

PASSED: This 12th day of November 2002.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

RESOLUTION NO. 02- 67

Exhibit A
City Engineer's Report
Sanitary Sewer Reimbursement District No. 21

Background

This project was constructed and funded under the City of Tigard Neighborhood Sewer Extension Program (NSEP). Under the program the City of Tigard installs public sewers to each lot within a project area. At the time the property owner connects to the sewer, the owner would pay a connection fee of \$2,335.00 and reimburse the City for a fair share of the cost of the public sewer. There is no requirement to connect to the sewer or pay any fee until connection is made. In addition, property owners are responsible for disconnecting their existing septic system according to Washington County rules and for any other modifications necessary to connect to the public sewer.

Project Area - Zone of Benefit

The project includes the extension of two lines as shown on Exhibit Map B. The first is an extension from a line in Tiedeman Street constructed by Reimbursement District No. 14. The line was extended west to the terminus of Errol Street serving twenty-nine lots. An existing sanitary sewer line located in SW Pathfinder Way south of the proposed district serves the remaining twelve lots along the north side of Fonner Street.

Cost

The final cost for the sanitary sewer construction is \$241,637.10. Engineering and inspection fees amount to \$32,621.01 (13.5%) as defined in TMC 13.09.040(1). The final total project cost is \$274,258.11. This is the amount that will be reimbursed to the sanitary sewer fund as properties connect to the sewer and pay their fair share of the total amount. However, the actual amount that each property owner pays is subject to the City's incentive program for early connections.

In addition to sharing the cost of the public sewer line, each property owner will be required to pay an additional \$2,335 connection and inspection fee when connection to the public line is made. All owners will be responsible for all plumbing costs required for work done on private property.

Reimbursement Rate

All properties in this area are zoned R-4.5 but vary in size from about twelve thousand to about fifty-six thousand square feet as can be seen in Exhibit Map B. Therefore, it is recommended that the total cost of the project be divided proportional to the square footage of each property among the forty-one properties included in the reimbursement district as shown on the attached table. Resolution 01-46 limits this fee to \$6,000 to the extent that it does not exceed \$15,000 per owner for connections completed within three years of final approval of the City Engineer's Report.

It is recommended that only a portion of the area of the lot at 12555 SW 112th Avenue be applied in determining that owner's share of the public sewer line. This lot has a total area of about one hundred eight thousand square feet. However, because of a creek that crosses the lot, the sewer can not serve the portion of the lot on the opposite side of the creek as shown on the attached map. Development standards also prohibit development within fifty feet of the creek. Consequently, it is recommended that the fair share be based on the remaining 55,910 square feet that may be served as shown on the attached map (Exhibit C).

Other reimbursement methods include dividing the cost equally among the owners or proportional to the length of frontage of each property. These methods are not recommended because there is no correlation between these methods and the cost of providing service to each lot or the benefit to each lot.

Each property owner's fair share of the public sewer line is \$0.3306 per square foot of the lot served as shown on Exhibit D. Each owner's fair share would be limited to \$6,000 to the extent that it does not exceed \$15,000, for connections completed within three years of City Council approval of the final City Engineer's Report following construction in accordance with Resolution 01-46 (attached). In addition to paying for the first \$6,000, owners will remain responsible for paying all actual costs that exceed \$15,000.

Annual Fee Adjustment

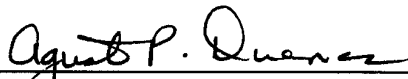
TMC 13.09.115 states that an annual percentage rate shall be applied to each property owner's fair share of the sewer line costs on the anniversary date of the reimbursement agreement. The Finance Director has set the annual interest rate at 6.05% as stated in City of Tigard Resolution No. 98-22.

Recommendation

It is recommended that a reimbursement district be formed with an annual fee increase as indicated above and that the reimbursement district continue for fifteen years as provided in the Tigard Municipal Code (TMC) 13.09.110(5).

Fifteen years after the formation of the reimbursement district, properties connecting to the sewer would no longer be required to pay the reimbursement fee.

Submitted October 29, 2002



Agustin P. Duenas PE
City Engineer

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CITY OF TIGARD, OREGON

WALNUT STREET

112TH AVE

113TH AVE

EXHIBIT B

REIMBURSEMENT DISTRICT

MANHOLE

CLEANOUT

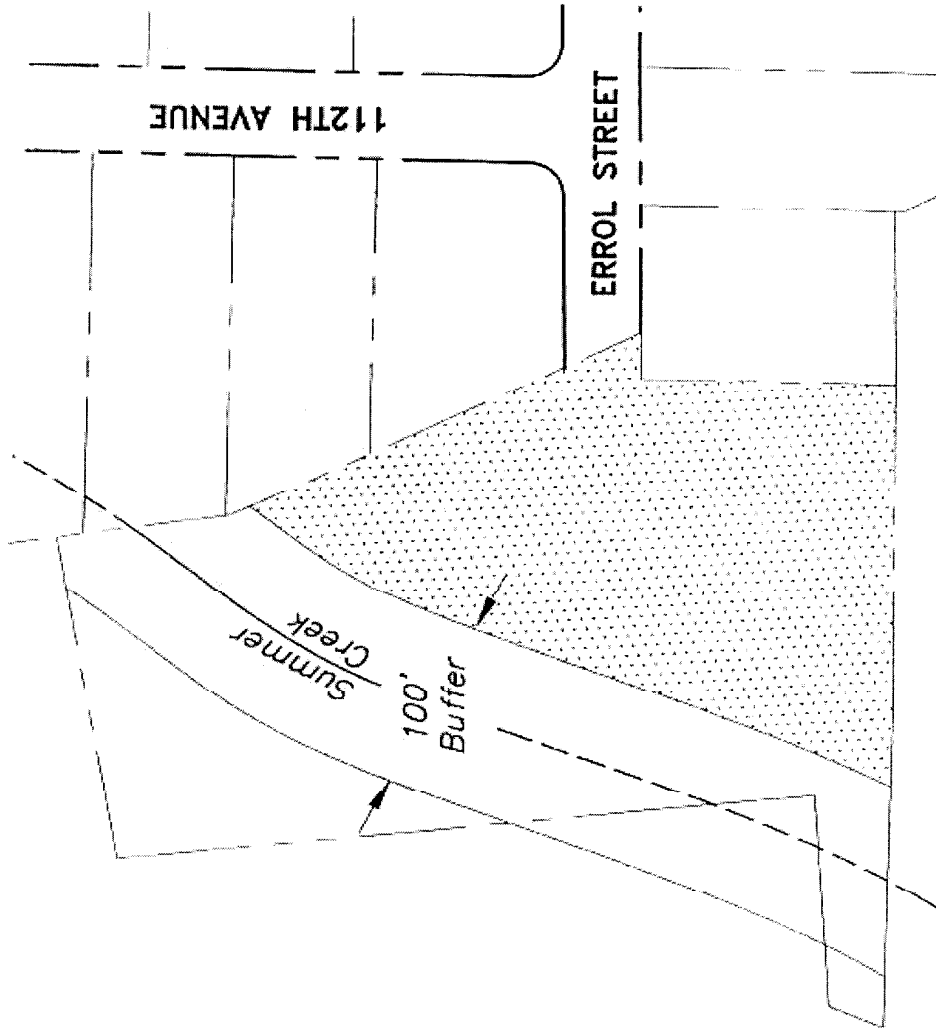
EXISTING SANITARY SEWER

PROPOSED SANITARY SEWER

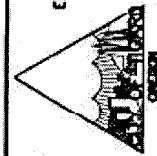
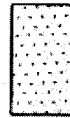
NOTE

ALL PROPERTIES IN THE REIMBURSEMENT DISTRICT ARE
ZONED R4.5

Exhibit C



Developable Land
(55,910.42)



ENGINEERING DEPARTMENT
13125 S.W. HALL BLVD.
TIGARD, OREGON 97223
VOICE: (503) 636-4171
FAX: (503) 684-7287

BRANDON PROPERTY
11255 112TH AVE
DEVELOPABLE LAND

Reimbursement District No. 21-
Final Cost to Property Owners

Exhibit D

10/30/02
10:39 AM

OWNER	TAX LOT	ADDRESS	AREA (AC)	AREA (S.F.)	FINAL COST TO PROPERTY OWNER
1 BRANDON	2S103AC-00501	11255 112th Ave	2.48/ 1.2 usable	55,910.42	\$18,483
2 JOHNSON	2S103AC-03300	12525 112th Ave	0.36	15,764.81	\$5,212
3 ELSNER	2S103AC-03100	12520 Errol St	0.35	15,186.14	\$5,020
4 BARRETT	2S103AC-02700	11105 Errol St	0.47	20,297.05	\$6,710
5 PIERCE	2S103AC-02800	11075 Errol St	0.47	20,297.73	\$6,710
6 ROGERS	2S103AA-00800	11045 Errol St	0.49	21,305.27	\$7,043
7 OLSON	2S103AA-00802	11015 Errol St	0.49	21,291.34	\$7,039
8 LEHMAN	2S103AA-01000	10965 Errol St	0.69	30,186.93	\$9,980
9 KURTZ	2S103AA-01200	10915 Errol St	0.30	13,191.98	\$4,361
10 PHAN	2S103AA-01300	10885 Errol St	0.30	13,189.91	\$4,360
11 BUBLITZ	2S103AA-01401	10855 Errol St (A&B)	0.46	20,126.42	\$6,654
12 SAVAGE	2S103AA-01400	10825 Errol St	0.46	20,122.32	\$6,652
13 ROSCH	2S103AA-01704	10775 Errol St	0.46	20,008.67	\$6,615
14 BRANNON	2S103AA-01703	10765 Errol St	0.34	14,600.82	\$4,827
15 BLANCHARD	2S102BC-02000	10690 Fonner St	0.39	16,917.55	\$5,593
16 SAKHITAB	2S102BC-02003	10700 Fonner St	0.36	15,678.36	\$5,183
17 BLAKELY	2S102BC-02100	10720 Fonner St	0.28	11,997.87	\$3,966
18 HALL	2S103AC-00502	11220 Errol St	0.35	15,101.71	\$4,992
19 LLOYD	2S103AD-00502	12570 112th Ave	0.45	19,450.51	\$6,430
20 MEEKER	2S103AD-00507	11180 Errol St	0.48	20,759.27	\$6,863
21 FRANTZ	2S103AD-00506	11110 Errol St	0.48	20,787.37	\$6,872
22 BOSWELL	2S103AD-00503	11070 Errol St	0.48	20,815.46	\$6,881
23 GEORGE	2S103AD-00505	11020 Errol St	0.48	20,850.65	\$6,893
24 HUKU	2S103AD-00400	10980 Errol St	0.43	18,926.46	\$6,257
25 ENGLERT	2S103AD-00404	10960 Errol St	0.35	15,065.97	\$4,981
26 GOOSELAU	2S103AD-00407	10940 Errol St	0.33	14,293.84	\$4,725
27 WEINRAUCH	2S103AD-00409	10920 Errol St	0.60	26,183.24	\$8,656
28 SEVCIK	2S103AD-00401	10880 Errol St	0.41	17,990.44	\$5,947
29 CARTER	2S103AD-00200	10840 Errol St	0.42	18,470.03	\$6,106
30 LINDBLOM	2S103AD-00100	10780 Errol St	0.42	18,410.56	\$6,086
31 OLSEN	2S103AD-00104	10540 Errol St	0.34	14,992.22	\$4,956
32 DAILY	2S103AD-00107	10705 Fonner St	0.34	14,990.85	\$4,956
33 DOMINGUEZ	2S103AD-00105	10725 Fonner St	0.37	16,181.08	\$5,349
34 OPOKA	2S103AD-00103	10765 Fonner St	0.36	15,638.30	\$5,170
35 KORNOWSKI	2S103AD-00102	10805 Fonner St	0.36	15,729.52	\$5,200
36 HAMMONS-MILES	2S103AD-00106	10825 Fonner St	0.49	21,399.69	\$7,075
37 HAMMONS-MILES	2S103AD-00300	10825 Fonner St (vacant)	1.13	49,328.64	\$16,308
38 BRADFORD	2S103AD-00600	10855 Fonner St	0.35	15,233.93	\$5,036
39 KERNAN	2S103AD-00402	10905 Fonner St	0.38	16,669.00	\$5,511
40 RUTON	2S103AD-00406	10915 Fonner St	0.37	16,239.25	\$5,369
41 BRISLIN	2S103AD-00403	10935 Fonner St	0.92	40,017.77	\$13,230
Totals			17.76	829,599.36	\$274,258.11